

Request for Clarification

Reconsideration and clarification are respectfully requested. Claims 1-39 are pending. No new matter has been added. Entry of the amendment is respectfully requested.

Claims 1 and 26 stand rejected under 35 U.S.C. § 102(a) over Rosen (US 6,122,625).

Claims 2-25 and 27-32 stand rejected under 35 U.S.C. § 103(a) over Rosen in view of Tedesco (US 6,282,523).

As the record is best understood, claims 33-34 are considered allowed by the Office. The Action does not set forth any rejection of pending claims 33-34. The USPTO requires that all claims being rejected be inserted in a statement of rejection, which is followed by a body of the rejection. Note MPEP form paragraph 7.15. Also, 37 CFR 1.104(c)(2) requires that "each rejected claim" must be clearly specified. Likewise, see *In re Hoch*, 428 F.2d 1341, 1342 n.3, 166 USPQ 406, 407 n.3 (CCPA 1970) and MPEP § 706.02(j). Claims 33-34 do not appear in any statement of rejection, nor are they rejected, nor does the Office explain how they would be rejected.

Also, MPEP § 706.07(e) makes clear that if a final rejection is withdrawn (which has to occur in order for the Office to legally reject claims 33-34), then all prior amendments (which includes the above amendment) filed in response to that final rejection are entered. That is, should the Office decide to reject claims 33-34 it first has to withdraw the pending final rejection. Upon withdraw of the pending final rejection, the above amendment is entitled unhindered entry. Thus, any rejection of claims 33-34 requires entry of claims 35-39.

The Rejections

Applicants respectfully traverse the pending rejections for the reasons set forth in their Response filed May 22, 2007, which is herein incorporated by reference.

The comments in the Action with regard to "broadest reasonable interpretation" have been noted. However, the "interpretation" apparently created by the Office in order to make the rejections would not have been *reasonable* to one of ordinary skill in the art. For example, Rosen is directed to electronic money. The Office still has not explained how "electronic" money structurally constitutes a deposit "item", especially with regard to depositing the deposit item into a deposit accepting "machine".

The Action (in paragraph number 3) does not refer to *all* of the claim 1 language. Claim 1 actually states "receiving depositor input . . . through at least one input device *in operative connection with a deposit accepting machine*". The Office still has not pointed out where Rosen teaches using remote communication to receive depositor input through a deposit accepting machine's input device, as alleged by the Office. Applicants request the Office to state on the record the specific column and line numbers where Rosen allegedly teaches the features.

Conclusion

Applicants respectfully submit that this application is in condition for allowance. The undersigned is willing to discuss any aspect of the Application at the Office's convenience.

Respectfully submitted,

/Ralph E. Jocke/

Ralph E. Jocke Reg. No. 31,029
WALKER & JOCKE
231 South Broadway
Medina, Ohio 44256
(330) 721-0000
Customer No. 28995